addram 701 Fifth Avenue Sulte 6300 Seattle, WA 98104 206.622.4900 extends 206.682.603] makata SaadiP.com

Seedur

July 27, 2006

Karl R. Hermanns Telephone: (206) 4834

Facsimile T	ransmission		karlh@SeedIP.com
To;	PCT Legal Adminis	stration	
Fax No.:	(571) 273-0459		
Phone No.:			
Re:	U.S. Application N	lo. 10/566,230	
Your Ref.:			
Seed IP Ref.:	670101.401USPC		
No. of Pages:	16 (including this pa	age)	
If you do not rece office.	eive all pages, please	e call <u>Lola Kemp</u> at (206) 62	22-4900 or fax our
X Urgent	For Review	Please Confirm Receipt	Please Reply ASAP
Comments:			
Documents attach Letter con Request fo	cerning improper de	duction of excess claims fe al, Request, attachments)	HECEIVED
			² 8 JUL 2006
			Legal Staff International Division
Transmission Inf	ormation:		
Date:	Time:	Adjustment day:	08/03/2006 SBASHEIR 02 00000004 191090 10566230
		or 15:16:16	45/0, 100, 18

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HOJULAFA JOLE: 68/63

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July 27, 2006

Legal Staff International Division

Karl R. Hermanns Direct Line: (206) 694-4834 karlh@SeedIP.com

By Facsimile: (571) 273-0459

PCT Legal Administration Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Re:

U.S. Patent Application No. 10/566,230 lodged January 27, 2006, Entitled METHOD FOR PRODUCING SHAPE MEMORY EFFECTS IN HAIR IN CONNECTION WITH HYDROPHOBIC ACTIVE INGREDIENTS Seed Docket No.:

670101.401USPC

To Whom It May Concern:

In several instances in the past year, the PCT Branch of the U.S. Patent & Trademark Office has removed excess claims fees from this firm's Deposit Account 19-1090 without authorization. After a lengthy discussion on July 26, 2006, with Mr. Paul Bell of the PCT branch, Mr. Bell suggested that we write a letter to PCT Legal Administration, rather than simply submitting a Request for Refund, in the hope of addressing this issue and preventing its recurrence.

When filing the above-identified application (our Docket No. 670101.401USPC) on January 27, 2006, Applicants enclosed a check for \$1,030 (copy of transmittal and check #33524 enclosed). On the transmittal, Applicants checked box "c" on page 3, which reads as follows:

c. X The Commissioner is hereby authorized to charge any deficiency in the basic national fee which may be required, or credit any overpayment to Deposit Account No. 19-1090. A duplicate copy of this sheet is enclosed.

(Bold type in original.) This firm does not use Form PTO-1390, and the language of paragraph "c" in our transmittal is not identical to that of Form PTO-1390. Thus, this paragraph is not a general authorization, and it specifically does not authorize the PTO to deduct excess claims fees. The "basic national fee" referred to is the minimum fee of \$300 required to be submitted at the time of filing, as indicated on page 2 of the transmittal. The basic national fee was included in check no. 33524.

However, on July 18, 2006, the PCT Branch improperly deducted \$1,210 in excess claims fees (copy of Accounting Statement enclosed). Applicants respectfully request that the Patent and Trademark Office issue a refund of \$1,210 for claims fees improperly deducted from Deposit Account No. 19-1090 on July 18, 2006.

Applicants also enclose a Request for Refund. If the issue cannot be resolved by means of this letter, please forward the Request for Refund to the appropriate office for processing.

1700 701 Fifth Avenue Suite 6300 Seattle, WA 98104 206.622.4900 Jimine 206.682.6031 doller Spedificom

PCT Legal Administration July 27, 2006 Page 2

670101.401USPC

We request that you honor the language of our transmittal and refrain from deducting excess claims fees. I look forward to receipt of your reply.

Very truly yours,

Seed IP Law Group PLLC

Karl R. Hermanns

Enclosures:

Accounting Statement showing Deposit Account deduction Copy of Check No. 33524

Copy of Transmittal

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SEED INTELLECTUAL PROPERTY LAW GROUP PLLC EXPRESS MATE NO. EV529789393US PTO ACCUINT 670101.40 PC

(206) 622-4900 701 5TH AVE. STE. 6300 SEATTLE, WA 98104-7049

DATE January 27, 2006

19-2/1260 WA 91928

PAY TO THE ORDER OF

DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

\$ **1,030.00**

Bank of America

Middle Market Banking King Caunty, Washington

NON-NEGOTIABLE

™V33524# 1:1250000241: 69048 81?#

SEED INTELLECTUAL PROPERTY LAW GROUP PLLC PTO ACCOUNT SEATTLE, WA 98104-7043

DETACH AND RETAIN THIS STATEMENT
THE ATTACHED CHECK IS IN PAYMENT OF ITEMS DESCRIBED BELOW
IF NOT CORRECT, PLEASE NOTIFY US PROMPTLY. NO RECEIPT DESIRED

DATE	DESCRI	DESCRIPTION		
1/27/06	PCT/US National Phase of PCT/EP2 670101.401USPC ALI ABDULLA HASSON, Tareq, et al			AMOUNT
	Basic National Fee Examination Fee Search Fee Oath/Declaration Surcharge	\$300 200 400 130		\$1,030.00
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TOANION		Express Mail No. EV5297893931
TRANSMITTAL LETTER	TO THE UNITED STATES	ATTORNEY'S DOCKET NO. 670101.401USPC
DEGIGNATED/NERCTR	D OFFICE MOMONIA	U.S. APPLICATION NO. (If known, sec 37 CFR 1.5)
CONCERNING A SUBMISS	10N UNDER 35 U.S.C. 371	The block flow flow (it known, see 37 CFR 1.5)
INTERNATIONAL APPLICATION NO. PCT/EP2004/007800	INTERNATIONAL FILING DATE	PRIORITY DATE CLAIMED
TITLE OF INVENTION	14.07.2004 (July 14, 2004)	30.07.2003 (July 30, 2003)
INGREDIENTS	EMURY EFFECTS IN HAIR IN CONN	ECTION WITH HYDROPHOBIC ACTIVE
APPLICANT(S) FOR DO/EO/US		
Axel; DUCHSCHERER, Anio- REVER	EIN, Andreas; KRATZ, Karl; KUPER,	Leonid; KRAUSE, Thomas; KALBFLEISCH,
Applicant herewith submits to the United States 1.	Designated/Clasted Off (Domester	, total temperature
1. This is a FIRST submission of items	concerning a submission under 35 U.S.C.	following items and other information:
2. This is a SECOND or SUBSEQUE	VI submission and St. S.C.	371.
3. This is an express request to begin a	YI submission of items concerning a subm	ission under 35 U.S.C. 371.
items (5), (6), (9) and (21) indicated	ational examination procedures (35 U.S.C.	371(1)). The submission must include
4. The US has been elected (Article 31)	-	
5. A copy of the International Application	on as filed (35 U.S.C. 371(a)(2))	
a. is attached hereto (required o	only if not communicated by the Internation	-1 n
b. An has been communicated by the	he International Bureau	all Burcau).
c. is not required, as the applica	tion was filed in the United States Receiving	
6. An English language translation of the	a International Application as filed (35 U.S	ng Office (RO/US).
a. X is attached hereto.	Application as filed (35 U.S	.C. 371(c)(2)).
b. has been previously submitted	funda 25 II Con Icarara	
7. Amendments to the claims of the Inter	Tational Application	
a. are attached hereto (required of	national Application under PCT Article 19	(35 U.S.C. 371(e)(3))
b. have been communicated by t	only if not communicated by the Internation	nal Bureau),
c. There nor been made: however	de international Bureau.	
d. Mayo not been made and will t	the time limit for making such amendmen	ts has NOT expired.
8. An Envlish language translesion of	lot be inade.	
9. An eath or declaration of the	amendments to the claims under PCT Artic	cle 19 (35 U.S.C. 371(c)(3)).
	が(33 U.S.C. 371(c)(4))	
Article 36 (35 U.S.C. 371(c)(5))	annexes to the International Preliminary Ex	camination Report under PCT
Items 11 to 20 below concern document(s) or	information included.	
11. An Information Disclosure Statement un	nder 37 CEP LOZ and Log	
12. An assignment document for recording	A servente pour et	
13. A preliminary amendment.	A separate cover sheet in compliance with	n 37 CFR 3,28 and 3.31 is included.
14. An Application Data Sheet under 37 CF	P 1 76	
15. A substitute specification.		
16. A power of attorney and/or change of ad		
17. A computer-readable form of the arms	dress letter.	
18. A second comy of the published the	ce listing in accordance with PCT Rule 130	er.2 and 37 CFR 1.821 - 1.825.
	CIRT VUDICATION DUGGE 35 LLC C 154/20/9	
20. Other items or information:	anslation of the international application u	nder 35 U.S.C. 154(d)(4).
or incommation:		

U.S. APPLICATION	l NO. (If kαόwπ,	see 37 CFR (.5)	INTERNATIONAL	APPLICATION NO.	ATTORNEY'S DOCKET N	IUMBER
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companied by an ac	propriate cove	r sheet (37 CFR 3	21(h)). The assignm 3-28, 3.31). \$40.00 p	er property +		
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C.	_	The Commissioner is hereby authorized to required, or credit any overpayment to Depenclosed.	charge any deficiency in the basic nation cost Account No. 19-1090. A duplicate co	ppy of this sheet is
d.		Fees are to be charged to a credit card. Wa information should not be included on the Where an appropriate time limit was	Ininia	
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Kart	R.	Hermanns		
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TRANSMITTAL FORM

(To be used for all correspondence after initial filing)

Application Number	10/566,230
Filing Date	July 14, 2004 [International Filing Date]
First Named Inventor	Tareq Ali Abdulla Hasson
Art Unit	
Examiner Name	
Attorney Docket No.	670101.401USPC

		NCLC	SURES (check a	ill that ap	ply)	
Extension of Express Abar Request Information D Statement an Cited Referer Certified Copy Document(s) Response to I under 37 CFR	ttal Form ched Response al s/declaration(s) Time Request adonment isclosure d Transmittal aces y of Priority Missing Parts 1.52 or 1.53		Drawing(s) Request for Correct Receipt Licensing-related F Petition Petition to Convert Provisional Applica Power of Attorney, Revocation, Chang Correspondence Ar Declaration Statement under 37 3.73(b) Terminal Disclaime Request for Refund CD, Number of CD(s) Landscape Tab	eted Filing Papers to a ation ge of ddress 7 CFR		After Allowance Communication to TC Appeal Communication to Board of Appeals and Interferences Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) Proprietary Information Status Letter Return Receipt Postcard Other Enclosure(s) (please identify below): cosit Account Statement by of Check No. 33524 by of 371 Transmittal
	SIGNATUR	E OF	APPLICANT, ATT	ORNEY,	OR A	GENT
Firm Name	4		Property Law Group PLLC		Customer Number 00500	
Signature		1				
Printed Name	Karl R. Herma	nns	7			
Date	Date July 27, 2006		Reg. No		o.	33,507
CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date						
Signature	1	re	Kem			
Typed or printed na		d. Kemp		Date:	Pate: July 27, 2006	
SEND TO: Commissioner for I 813289_1.DOC	Patents, P.O. Box 1450,	Alexandria	B, VA 22313-1450.			

PATENT

I hereby certify that this paper is being facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below:

July 27, 2006

Lora Kemb

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants

Tareq Ali Abdulla Hasson et al.

Application No.

10/566,230

Filed

July 14, 2004 [International Date]

For

METHOD FOR PRODUCING SHAPE MEMORY EFFECTS IN

HAIR IN CONNECTION WITH HYDROPHOBIC ACTIVE

INGREDIENTS

Docket No.

670101.401USPC

Date

July 27, 2006

PCT Legal Administration Facsimile No. (571) 273-0459 Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

REQUEST FOR REFUND

Director:

Applicants request that the PCT Branch of the Patent and Trademark Office issue a refund of \$1,210 for claims fees improperly deducted from Deposit Account No. 19-1090 on July 18, 2006 (copy of Accounting Statement enclosed).

When filing this application (our Docket No. 670101.401USPC) on January 27, 2006, Applicants enclosed a check for \$1,030 (copy of transmittal and check #33524 enclosed). On the transmittal, Applicants checked box "c" on page 3, which reads as follows:

c. The Commissioner is hereby authorized to charge any deficiency in the basic national fee which may be required, or credit any overpayment to Deposit Account No. 19-1090. A duplicate copy of this sheet is enclosed.

(Bold type in original.) This firm does not use Form PTO-1390, and the language of paragraph "c" of our transmittal is not identical to that of Form PTO-1390. Thus, this paragraph is **not** a general authorization, and it specifically does not authorize the PTO to deduct excess claims fees. The "basic national fee" referred to is the minimum fee of \$300 required to be submitted at the time of filing, as indicated on page 2 of the transmittal. The basic national fee was included in check no. 33524.

Application No. 10/566,230

In light of the above, Applicants respectfully request that \$1,210 be returned to Deposit Account 19-1090.

Respectfully submitted,
Seed Intellectual Property Law Group PLLC

Karl R. Hermanns '/'
Registration No. 33,507

Enclosures:

Copy of Transmittal filed January 27, 2006 Copy of Check #33524 Copy of Seed Accounting showing the Debits

cc: Accounting

701 Fifth Avenue, Suite 6300 Seattle, Washington 98104-7092 Phone: (206) 622-4900

Fax: (206) 682-6031

670101.401USPC / 813075_1.DOC

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07/18 242 11380829	200017.448	8021 //0 \$40.00	
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07/18 1048 11380829	√200017.448	4011 /60 \$75.00	
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33524

SEED INTELLECTUAL PROPERTY LAW GROUP PLLC EXPRESS MATERIAL NO. EV5297893930S 670101.40 PC

(205) 622-4900 701 5TH AVE. STE. 6300 SEATTLE, WA. 98104-7043

DATE January 27, 2006

19-2/1250 WA 91926

PAY TO THE ORDER OF.

DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

\$**1,030.00**

Bank of America

Middle Markot Banking
King County, Washington

NON-NEGOTIABLE

#033524# #125000024# 69048 B1?#

SEED INTELLECTUAL PROPERTY LAW GROUP PLLC PTO ACCOUNT SEATTLE, WA 98104-7043

DETACH AND RETAIN THIS STATEMENT
THE ATTACHED CHECK IS IN PAYMENT OF ITEMS DESCRIBED BELOW
IF NOT CORRECT. PLEASE NOTIFY US PROMPTLY, NO RECEIPT DESIRED

DATE	DESCRIP	TION		AMOUNT	
1/27/06	PCT/US National Phase of PCT/EP26 670101.401USPC ALI ABDULLA HASSON, Tareq, et al	·	,		
)	Basic National Fee Examination Fee Search Fee Oath/Declaration Surcharge	\$300 200 400 130		\$1,030.00	
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THANCAGER		Express Mail No. EV5297893931
TRANSMITTAL LETTER T	O THE UNITED STATES	ATTORNEY'S DOCKET NO. 670101.401USPC
DESIGNATED/ELECTEI CONCERNING A SUBMISSI		U.S. APPLICATION NO. (If known, see 37 CFR 1.5)
	ON UNDER 35 U.S.C. 371	(II kilowii, see 37 CFR 1.5)
INTERNATIONAL APPLICATION NO. PCT/EP2004/007800	INTERNATIONAL FILING DATE	PRIORITY DATE CLAIMED
TITLE OF INVENTION	14.07.2004 (July 14, 2004)	30-07.2003 (July 30, 2003)
METHOD FOR PRODUCING SHAPE MAN	CRAODA DENNA	
INGREDIENTS	MORY EFFECTS IN HAIR IN CONN	ECTION WITH HYDROPHOBIC ACTIVE
APPLICANT(S) FOR DO/EO/US		· · · · · · · · · · · · · · · · · · ·
Axel; DUCHSCHERER, Ania: BEYER	EIN, Andreas; KRATZ, Karl; KUPER, I	Leonid; KRAUSE, Thomas; KALBFLEISCH,
Applicant herewith submits to the United States 1. This is a FIRST submission of items.	Designated/Florted Office (DO/FOR/S)	- Lander
1. X This is a FIRST submission of items	concerning a submission under 35 U.S.C.	following items and other information;
2. This is a SECOND or SUBSEQUEN	T submission of items concerning a submis-	371.
The same is an express reducer to Debiu be	fional Assumings :	ssion under 35 U.S.C. 371.
	below.	371(f)). The submission must include
4. X The US has been elected (Article 31).		
5. A copy of the International Applicatio	n as filed (35 U.S.C. 371(c)(2)).	
a. Lis attached hereto (required on	ly if not communicated by the Internations	al Puson
b. A has been communicated by the	International Bureau	at bureau).
c. is not required, as the applicati	ion was filed in the United States Receiving	055. (00/10)
6. An English language translation of the	International Application as filed (35 U.S.	g Office (RO/US).
a. X is attached hereto.	**************************************	C. 371(c)(2)).
b. has been previously submitted	under 35 U.S.C. 154(d)(a)	
7. Amendments to the claims of the Intern	ational Application under PCT Article 19	
a. are attached hereto (required or	nly if not communicated by the International	(35 U.S.C. 37((c)(3))
b. have been communicated by the	c International Russau	al Bureau).
c. have not been made; however,	the time limit for making such amendment	
d. A have not been made and will no	of the made	s has NO'T expired,
8. An English language translation of the a	inendments to the claims under PCT Articl	
9. An oath or declaration of the inventor(s)	(35 II S.C. 371(2)(4))	le 19 (35 U.S.C. 371(c)(3)).
10. An English language translation of the su	nnexes to the International Preliminary Exa	
Article 36 (35 U.S.C. 371(c)(5)).	microsto de international Preliminary Exa	amination Report under PCT
Items 11 to 20 below concern document(s) or in	formation included:	
An Information Disclosure Statement und	der 37 CFR 1.97 and 1.98	
An assignment document for recording.	A separate cover sheet in compliance with	37 CFR 3 78 and 7 21 in incl. 1
_		or of K 3.26 and 3.31 is included.
14. M An Application Data Sheet under 37 CFR	1.76	
15. A substitute specification.		
16. A power of attorney and/or change of add	ress letter.	
17. A computer-readable form of the sequence	c listing in accordance with PCC pure	2 122 000
	uai application incles 35 ff c C 154/1/45	
The condition of the Conglish language tra	nslation of the international application un	dur 35 U.S.O. v. s. v. v. v.
20. Other items or information:	vimi application un	DEL 33 U.S.C. 134(d)(4),
		1

U.S. APPLICATION	N NÓ. (II kao	wn, see 37 CFR 1.5)	INTERNATIONAL A	PPLICATION NO.	ATTORNEY'S DOCKET N	JMBER
			670101.401USPC			
The following	g fees are su	bmitted	·			T
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22. 🛛 Examin	ation fee (37	CFR 1.492(c))				
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of PCT Article	жи ргерше. 33(1)-(4)	oy IFEADOS Indica	tes all claims satisfy p	rovisions		
All other situation	ıs	**********************			0 \$200.00	,
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If the written opin	ion of the IS	A/US or the internat	ional preliminary exa	mination		
report prepared	by the IPEA	/US indicates all cla	ims satisfy provisions	of		
PCT Article 33	(1)-(4) B 1 445(a)/3	\\ b = 1 • • •	outsty provisions	\$ 0.0	0	
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All other situation	<u> </u>			\$500.00	\$400.00	
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sequence	e (isting in ca	impliance with 37 C	FR 1.821(e) or (c) or (computer program		ļ
The fee i	is \$250 for e	c medium) (37 CFR	.1.492(j)). ∞ts of paper or fractio	d		
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		whole numbe	r)			
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deciaration after th	e date of cor	nmencement of the r	national stage (37 CFR	l 1.492(h)).	\$130.00	
Claims Total Claims	 -	Number Filed	Number Ext			
Independent Claim	18	- 20 = - 3 =		x \$ 50.00	.00	
MULTIPLE DEPE	NDENT CL	AIM(S) (if applicab	(c)	x \$ 200.00 + \$360.00	\$.00	
		TOTAL	F ABOVE CALC	III ATIONS -	\$.00 \$1,030.00	
Applicant clain	ns small enti	y status. Sec 37 CFI	R 1.27. Fccs above arc	reduced by 16		
				CIDTOTAL	24 222 22	
Processing fee of \$	130.00 for fi	unishing the English	translation later than	30 months from the	37,030.00	
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For for recording at	<u> </u>		TOTAL NAT	IONAL FEE =	\$1,030.00	
accompanied by an	uc enclosed :	issignment (37 CFR	1.21(h)). The assignment	nent must be		
	- who con tare	COVER STREET (3 / CI-R	3.28, 3.31). \$40.00 p	er property 1	\$.00	
			TOTAL FEES	ENCLOSED =	\$1,030.00	
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U.S. APPLICATION NO. (If known, sec 37 CFR 1.5)	INTERNATIONAL APPLICATION NO. PCT/EP2004/007800	ATTORNEY'S DOCKET NUMBER 670101.401USPC
a. A check in the amount of \$1.030 to cover the above fees is enclosed.		
b. Please charge my Deposit Account No. 19-1090 in the amount of \$ to cover the above fees. A duplicate copy of this sheet is enclosed.		
c. In Commissioner is hereby authorized to charge any deficiency in the basic national fee which may be required, or credit any overpayment to Deposit Account No. 19-1090. A duplicate copy of this sheet is enclosed.		
d. Fees see to be charged to a credit card. W. information should not be included on t	ARNING: Information on this form may be bis form. Provide credit card information a	ecome public. Credit eard
NOTE: Where an appropriate time limit us (b)) must be filed and granted to restore the SEND ALL CORRESPONDENCE TO:	nder 37 CED 1 405 bee 4 been	
Karl R. Hermanns Seed Intellectual Property Law Group PLLC 701 5th Avenue, Suite 6300 Seattle, WA 98104-7092 United States of America (206) 622-4900	SIGNATURE Karl R. Hermauns NAME 33,597 REGISTRATION NUMBE	
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